

**Iowa Department of Natural Resources
Environmental Protection Commission**

ITEM

16

DECISION

TOPIC

DEMAND FOR HEARING – POWESHIEK COUNTY; PRESTAGE FARMS
OF IOWA, LLC-P243 FINISHER

On November 5, 2007, the Department issued a draft construction permit to Prestage Farms of Iowa, LLC (Prestage), indicating a preliminary decision to approve Prestage's application to construct a swine confinement operation (P243 Finisher) in Jackson Township, Poweshiek County. Notice of this preliminary decision was delivered to the Poweshiek County Board of Supervisors (Poweshiek County) on or about November 7, 2007. On November 14, 2007, Poweshiek County notified the Department by facsimile of its intent to demand a hearing. The Demand For Hearing was mailed by Poweshiek County on November 14, 2007, and received by the Department on November 16, 2007. Poweshiek County has requested the opportunity to make oral statements. Pertinent documents relating to the Demand, and the Department's and Prestage's responses to it, will be provided to the Commission.

The Commission is requested to review this matter and render a final decision by December 21, 2007, which is 35 days from the date the Department received Kossuth County's Demand For Hearing.

Wayne Gieselman
Administrator
Environmental Services Division

November 16, 2007